



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CRIMINAL CASE NO. 30 OF 2017

REPUBLICPROSECUTOR

VERSUS

MWENDA KOMBO MWAMOSEACCUSED

RULING

1. The accused Mwenda Kombo Mwamose is charged with offence of murder Contrary to Section 203 as read with Section 204 of the penal code Cap 63 Laws of Kenya.
2. Particulars are that Mwenda Kombo Mwamose on the 22nd day of June 2017 at Peoni Village, Lunga Lunga Division within Kwale County, murdered Lewa Chiwaya.
3. The prosecution tendered evidence of 8 witnesses and inconsideration of the said evidence as against the accused person's submissions, I do find that a prima facie case has been established sufficient to call upon the accused to defend herself. She has a case to answer.

DATED, SIGNED AND DELIVERED IN OPEN COURT /ONLINE THROUGH MS TEAMS, THIS 29TH DAY OF JULY, 2021

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of:-

Ogwel – Court assistant

Ms. Karanja for the State

Mr. Magolo hold brief for Ms. Kipsang for the Accused

Accused – present in person

Hon. Lady Justice A. Ong'injo

Judge

COURT: *Provisions of Section 211 Criminal Procedure Code complied with and Accused replies.*

Hon. Lady Justice A. Ong'injo

Judge

MR. MAGOLO: *Ms. Kipsang will discuss with Accused and agree how to defend herself.*

ORDER: *Defence hearing – 4/10/2021.*

Hon. Lady Justice A. Ong'injo

Judge